

1 BILL NO. S-85-04-

02 (amended) (as amended)

Free

54-85

2 Parking Lot to 100'.

3 SPECIAL ORDINANCE NO. S-

4 Park AN ORDINANCE revising fees for the
use of City rights-of way.

5 Parking lot each additional 50,000 sf.

6 WHEREAS, the City is authorized by Indiana law to charge
for use of its rights-of-way;

7 WHEREAS, such fees were last established in 1979 and
8 same have not been updated or revised since that time;

9 WHEREAS, the expenses of the City with respect to its
10 use of rights-of-way have escalated since 1979 and indeed all
11 economic indices including, but not limited to, the Municipal
12 Cost Index have risen; ^{1975 B&W} Open the effective date of this Ordinance,
13 the fees ~~1~~ WHEREAS, municipalities throughout the country have
14 raised fees charged with respect to the use of rights-of-way;

15 WHEREAS, the present fee structure requires the City's
16 Right-of-Way Department to operate at a deficit in that cost
17 levels exceed fee income; and ³⁶²⁰

18 WHEREAS, the City's Right-of-Way Department and further
19 the City's Board of Public Works and Safety has established a new
20 fee structure for submission to this Council.

21 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
22 THE CITY OF FORT WAYNE, INDIANA:

23 SECTION 1. The City's present fee structure for use of
24 rights-of-way is as follows: ^{100' sf}

25 Street Cut each additional 50,000 sf ²⁰ \$ 20

26 Commercial Drive ¹⁰⁰

27 De-Cel Vehicle ²⁰⁰

28 Reconstruction ¹⁰

29 Private Drive ²⁰ 10

30 Reconstruction ²⁰ 10

31 Sidewalk up to 100' ^{Free} ~~herein established shall not in~~

32 any way limit the right of the City to charge additional sums

1	Sidewalk Reconstruction	Free
2	Parking Lot to 100,000 sf	20
3	Parking Lot 2nd 100,000 sf	
4	Parking Lot each additional 50,000 sf	
5	Pole Line	10
6	Oversize Vehicle	20
7	Standards Manual	2
8	Barricade	Free
9	Parade	Free
10	These fees are outdated and the cost levels exceed the	
11	revenue income.	

12 SECTION 2. Upon the effective date of this Ordinance,
13 the fees for use of the City's rights-of-way shall be as follows:

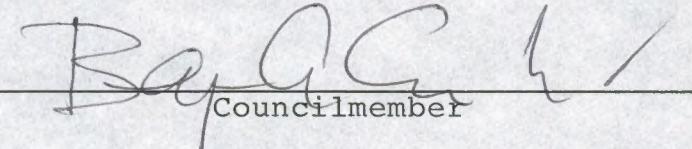
14	Street Cut	\$ 40
15	Commercial Drive	150
16	De-Cel	300
17	Reconstruction	15 20
18	Private Drive	20
19	Reconstruction	10
20	Sidewalk up to 100'	10
21	Sidewalk each 50' add.	5
22	Sidewalk Reconstruction	5
23	Parking Lot to 100,000 sf	40
24	Parking Lot 2nd 100,000 sf	20
25	Parking Lot each additional 50,000 sf	10
26	Pole Line	10
27	Oversize Vehicle	20
28	Standards Manual	2
29	Barricade	20
30	Parade	20

31 SECTION 3. The fees herein established shall not in
32 any way limit the ability of the City to charge additional sums

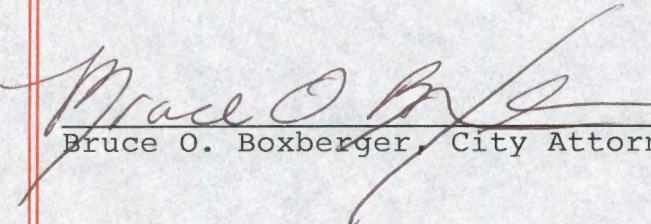
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Page Three

1 for other use of its rights-of-way as referenced herein.

2 SECTION 4. That this Ordinance shall be in full force
3 and effect from and upon its passage and any and all necessary
4 approval by the Mayor.

5 
6 Councilmember

7 APPROVED AS TO FORM
8 AND LEGALITY

9 
10 Bruce O. Boxberger, City Attorney

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Read the first time in full and on motion by Stier,
seconded by Stier, and duly adopted, read the second time
by title and referred to the Committee Finance (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on 19, the 19 day of April o'clock 85 M., E.S.

DATE: 4-9-85

Nedya Ebdoff
SANDRA E. KENNEDY, CITY CLERK

Chief Deputy

Read the third time in full and on motion by Stier,
seconded by Stier, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>BRADBURY</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>BURNS</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>EISBART</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>GiaQUINTA</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>HENRY</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>KREDD</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>SCHMIDT</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>STIER</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>TALARICO</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

DATE: 4-23-85

Nedya Ebdoff
SANDRA E. KENNEDY, CITY CLERK

Nedya Ebdoff Chief Deputy

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. S-5485
on the 23rd day of April, 1985,

ATTEST:

(SEAL)

Mark E. GiaQuinta
PRESIDING OFFICER

Nedya Ebdoff
SANDRA E. KENNEDY, CITY CLERK

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 24th day of April, 1985,
at the hour of 11:30 o'clock A. M., E.S.T.

Nedya Ebdoff
SANDRA E. KENNEDY, CITY CLERK

Nedya Ebdoff Chief Deputy

Approved and signed by me this 25th day of April,
1985, at the hour of 9:00 o'clock A. M., E.S.T.

WIN MOSES, JR.
WIN MOSES, JR., MAYOR

Admn. Appr. _____

DIGEST SHEET

(as amended)
(as amended)
S-85-04-02

TITLE OF ORDINANCE Special OrdinanceDEPARTMENT REQUESTING ORDINANCE Transportation & Street EngineeringSYNOPSIS OF ORDINANCE Fees for rights-of-way were established in 1979

and have not been revised since that time. The Municipal Cost Index
has increased 116.6%, therefore, in an effort to operate the Right-of-
Way Department in an efficient manner, as done in the past at a break-
even level, it is our opinion that right-of-way fees be increased as
per the attached.

EFFECT OF PASSAGE An increase in fees will aid in allowing the Right-of-
Way Department to operate in an efficient manner.

EFFECT OF NON-PASSAGE The Right-of-Way Department will continue to operate
at a cost level that exceeds our revenue income.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. S-85-04-02

REPORT OF THE COMMITTEE ON

FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLUTION) revising fees for the use
of City rights-of-way

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(RESOLUTION)

DO PASS

DO NOT PASS

WITHDRAWN

YES

NO

Ben A. Eisbart

BEN A. EISBART
CHAIRMAN

JANET G. BRADBURY
VICE CHAIRWOMAN

Janet G. Bradbury

SAMUEL J. TALARICO

Samuel J. Talarico

THOMAS C. HENRY

JAMES S. STIER

CONCURRED IN

4-23-85

SANDRA E. KENNEDY
CITY CLERK